



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19407 of 2021

Venkatesh ... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
Crime No.182 of 2021.

... Respondent/Complainant

For Petitioner : MR.S.Mahashanmugam,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.182 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 10.11.2021 for the offence punishable under Sections 4(1)(aaa), 4(1-A) of Tamilnadu Prohibition Act, in Crime No.182 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 110 litres of Pandicherry arrack for sale, which is prohibited by the Government. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution, he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 10.11.2021. Hence, he seeks bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is involved in similar cases on previous occasions and also produced the list of cases and the list shows that most of the cases have been disposed of. The cases are pending for investigation.



5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 10.11.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, and on further condition that the petitioner must stay away from his Village for a period of three months and shall report before the respondent police daily at 10.30 a.m. until further orders.

7.The petitioner must file an undertaking affidavit before the concerned Court that he will not indulge in such activities in future and if any fresh crime is registered against the petitioner, the bail granted by this Court, shall stand automatically cancelled, without further reference of this Court.

sd/-
17/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM, THANJAVUR DISTRICT.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
- 4 THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19407 of 2021
Date :17/12/2021

dss

<https://hccvces.ecourts.gov.in/cases/12.2021/2P/6C>